

1 [COMPLETE LIST OF COUNSEL  
2 IDENTIFIED ON SIGNATURE PAGES]

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8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

10 TV INTERACTIVE DATA  
11 CORPORATION,

12 Plaintiff,

13 v.

14 SONY CORPORATION, et al.,

15 Defendants.

Case No. 10-CV-00475-JF

**STIPULATION AMONG  
PLAINTIFF TV INTERACTIVE  
DATA CORPORATION AND  
THE FUNAI DEFENDANTS  
CONCERNING DR. ANDREW  
WOLFE AND [PROPOSED]  
ORDER**

1  
2 WHEREAS Defendants Funai Electric Co., Ltd. and Funai Corporation, Inc.  
3 (collectively, the “Funai Defendants”) have notified TVI and the other parties that  
4 the Funai Defendants believe that they have a basis to object to the designation of  
5 Dr. Andrew Wolfe by TVI as a testifying expert on the grounds that Dr. Andrew  
6 Wolfe is a named inventor on multiple patent applications that members of the  
7 Funai Defendants’ litigation team are currently prosecuting;

8 WHEREAS Plaintiff TVI does not agree that the Funai Defendants have a  
9 basis to object to the designation of Dr. Andrew Wolfe by TVI as a testifying expert  
10 in this case; and

11 WHEREAS, to resolve the Funai Defendants’ alleged basis for such an  
12 objection, TVI and the Funai Defendants have reached an agreement regarding  
13 communications with Dr. Andrew Wolfe.

14 IT IS HEREBY STIPULATED AND AGREED as follows:

15 1. TVI will not raise objection to Baker & Hostetler LLP and the specific  
16 attorneys prosecuting patent applications in which Dr. Wolfe is a named inventor  
17 from communicating or working with Dr. Wolfe regarding the prosecution of such  
18 patent applications. Baker & Hostetler LLP agrees that its attorneys will  
19 communicate and work with Dr. Wolfe only as necessary to prosecute patent  
20 applications in which Dr. Wolfe is a named inventor. Baker & Hostetler LLP  
21 further agrees that its attorneys will not intentionally attempt to book or use Dr.  
22 Wolfe’s time in a way that negatively impacts his ability to effectively serve as an  
23 expert witness in the TVI case.

24 2. Baker & Hostetler LLP or its attorneys will not have any discussions  
25 with Dr. Wolfe regarding anything whatsoever that may touch upon or relate to the  
26 TVI case or to any matters or topics in the TVI case outside the presence of TVI’s  
27 counsel of record for the TVI case (except to acknowledge or discuss this specific  
28 agreement). Baker & Hostetler LLP and its attorneys also agree not to inquire into  
Dr. Wolfe’s scheduling commitments to the TVI case.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: November 23, 2010

/s/

Honorable Jeremy Fogel  
United States District Judge

Dated: November 22, 2010

ROBINS, KAPLAN, MILLER & CIRESI  
L.L.P.

By: /s/ Sang Young A. Brodie  
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Dated: November 22, 2010

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1  
2 I, Kevin W. Kirsch, am the ECF user whose ID and password are being used  
3 to file this STIPULATION AMONG PLAINTIFF TV INTERACTIVE DATA  
4 CORPORATION AND THE FUNAI DEFENDANTS CONCERNING DR.  
5 ANDREW WOLFE AND [PROPOSED] ORDER. In compliance with General  
6 Order 45, X.B., I hereby attest that Sang Young A. Brodie has concurred in this  
7 filing.

8  
9 Dated: November 22, 2010

/s/ Kevin W. Kirsch  
Kevin W. Kirsch

**CERTIFICATE OF SERVICE**

I declare that I am employed with the law firm of Baker & Hostetler LLP, whose address is 312 Walnut Street, Suite 3200, Cincinnati, Ohio 45202. I am not a party to the within cause, and I am over the age of eighteen years.

I further declare that on November 22, 2010, I served the following:

**STIPULATION AMONG PLAINTIFF TV INTERACTIVE DATA CORPORATION AND THE FUNAI DEFENDANTS CONCERNING DR. ANDREW WOLFE AND [PROPOSED] ORDER**



**BY ELECTRONIC SERVICE** by electronically mailing a true and correct copy through Baker & Hostetler LLP's electronic mail system to the e-mail addresses set forth below per agreement of the parties in accordance with Fed. R. Civ. P. 5(b).

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**BY MAIL** by placing the envelope for collection and mailing following our ordinary business practices. I am readily familiar with the firm's practice of collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in Cincinnati, Ohio, in sealed envelopes with postage fully prepaid.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 22, 2010, 2010, in Cincinnati, Ohio.

/s/ John F. Bennett  
John F. Bennett